

Rules of
Department of Agriculture
Division 10—Market Development
Chapter 5—Price Reporting

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**Title 2—DEPARTMENT OF
AGRICULTURE**
Division 10—Market Development
Chapter 5—Price Reporting

2 CSR 10-5.005 Price Reporting Requirements for Livestock Purchases by Packers

Emergency rule filed Sept. 3, 1999, effective Sept. 13, 1999, expired March 2, 2000.

2 CSR 10-5.010 Price Reporting Requirements for Livestock Purchases by Packers

PURPOSE: This rule specifies the requirements of sections 277.200 through 277.215, RSMo, which may be confusing or subject to differing interpretations by interested members of the public.

(1) The following definitions shall apply to the interpretations and enforcement of sections 277.200 through 277.215, RSMo:

(A) Discrimination—defined as offering a different price for the same quality of livestock unless such price differential is based on—

1. Transportation and acquiring costs;
2. An agreement for delivery of livestock at a specified date or time; or
3. Historical data reflecting anticipated carcass merit or value so long as said data is made available to the seller along with applicable premiums and discounts;

(B) Missouri resident—defined as any—

1. Individual residing or domiciled in Missouri;
2. Missouri corporation;
3. Foreign corporation registered in Missouri and doing business in Missouri;
4. Missouri limited liability corporation (LLC);
5. Foreign LLC registered in Missouri and doing business in Missouri; or
6. Partnership doing business in Missouri; and

(C) Direct purchases—shall include but shall not be limited to:

1. Cash;
2. Grade and yield;
3. Grid;
4. Formula pricing; or
5. Forward contracts.

(2) The nature of public auction insures that discrimination does not occur. The open bidding process on livestock already delivered to a specific place and occurring at a given time and with the stock present for all to view allows the final and successful bidder to meet the requirements specified in section

277.203, RSMo. Therefore, sections 277.200 through 277.215, RSMo, shall not apply to a packer or packer's agent who purchases or solicits livestock at a public auction market.

(3) Reporting as required under sections 277.200 through 277.215, RSMo shall be made to the Department of Agriculture. Forms may be obtained from the Department of Agriculture. Data may be transferred electronically in lieu of manual forms. Recommended format and file type may be obtained from the Missouri Department of Agriculture at (573) 751-4339.

AUTHORITY: section 277.215, RSMo Supp. 1999. This rule previously filed as 2 CSR 10-5.005. Emergency rule filed Sept. 3, 1999, effective Sept. 13, 1999, expired March 2, 2000. Original rule filed Oct. 15, 1999, effective April 30, 2000.*

**Original authority: 277.215, RSMo 1999.*